

10-13-04

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APPLICATION NUMBER	FILED OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/708,146	02/11/2004	Peter Arthur Tobler	718026.64

27128
 BLACKWELL SANDERS PEPER MARTIN LLP
 720 OLIVE STREET
 SUITE 2400
 ST. LOUIS, MO 63101

CONFIRMATION NO. 2145

FORMALITIES LETTER



OC000000013483323

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION DOCKETED

FILED UNDER 37 CFR 1.53(b)

AUG 12 2004

Filing Date Granted

BLACKWELL SANDERS
PEPER MARTINItems Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

10/15/2004 CNGUYEN 00000002 110160 10708146

01 FC:1051 130.00 DA

A handwritten signature, possibly reading 'nh', is written above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005 <i>Effective 10/01/2004. Patent fees are subject to annual revision.</i>	Complete if Known	
	Application Number	10/708,146
	Filing Date	February 11, 2004
	First Named Inventor	Peter Arthur Tobler, et al.
	Examiner Name	Not yet known
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	2857
TOTAL AMOUNT OF PAYMENT	(\$) 130.00	Attorney Docket No. 718026.64

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)				
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES				
<input checked="" type="checkbox"/> Deposit Account: Order		Large Entity		Small Entity		
Deposit Account Number: 11-0160		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
Deposit Account Name: BLACKWELL SANDERS PEPER MARTIN LLP		1051	130	2051	65	Surcharge - late filing fee or oath
		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
		1053	130	1053	130	Non-English specification
		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
		1251	110	2251	55	Extension for reply within first month
		1252	430	2252	215	Extension for reply within second month
		1253	980	2253	490	Extension for reply within third month
		1254	1,530	2254	765	Extension for reply within fourth month
		1255	2,080	1155	1,040	Extension for reply within fifth month
		1401	340	2401	170	Notice of Appeal
		1402	340	2402	170	Filing a brief in support of an appeal
		1403	300	2403	150	Request for oral hearing
		1451	1,510	1451	1,510	Petition to institute a public use proceeding
		1452	110	2452	55	Petition to revive - unavoidable
		1453	1,330	2453	665	Petition to revive - unintentional
		1501	1,370	2501	685	Utility issue fee (or reissue)
		1502	490	2502	245	Design issue fee
		1503	660	2503	330	Plant issue fee
		1460	130	1460	130	Petitions to the Commissioner
		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
		1806	180	1806	180	Submission of Information Disclosure Stmt
		8021	40	8021	40	Recording each patent assignment per property (times number of properties)
		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))
		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))
		1801	790	2801	395	Request for Continued Examination (RCE)
		1802	900	1802	900	Request for expedited examination of a design application
		Other fee (specify) _____				
		Subtotal (3) (\$ 130.00)				

FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	2001	790	395	Utility filing fee	
1002	2002	350	175	Design filing fee	
1003	2003	550	275	Plant filing fee	
1004	2004	790	395	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	
SUBTOTAL (1)					(\$)
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims	Extra Claims	Fee from below			Fee Paid
	-20**		X		
Independent Claims	-3**		X		
Multiple Dependent					
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	
1202	2202	18	9	Claims in excess of 20	
1201	2201	88	44	Independent claims in excess of 3	
1203	2203	300	150	Multiple dependent claim, if not paid	
1204	2204	88	44	** Reissue independent claims over original patent	
1205	2205	18	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)
**or number previously paid, if greater; For Reissues, see above					

SUBMITTED BY		(Complete (if applicable))			
Name (Print/Type)	Kevin M. Kercher	Registration No. (Attorney/Agent)	33,408	Telephone	314-345-6000
Signature		Date	10/12/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/708,146	
	Filing Date	February 11, 2004	
	First Named Inventor	Tobler, Peter Arthur	
	Group Art Unit	2857	
	Examiner Name	Not yet known	
Total Number of Pages in This Submission	33	Attorney Docket Number	718026.64

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below); Declaration; Part 2 Copy – Notice to File Missing Parts; Statement Under 37 CFR 3.73b with copy of Assignment; return postcard</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks:	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Kevin M. Kercher, Reg. No. 33,408 Blackwell Sanders Peper Martin LLP
Signature	
Date	October 12, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Mail Label No.: EV528423011US			
Typed or printed name	Beth Hookway		
Signature		Date	10-12-04



PATENT
718026.64

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Peter Arthur Tobler, et al.

Serial No.: 10/708,146

Filed: February 11, 2004

For: A SYSTEM AND METHOD FOR
MONITORING FACILITY DATA

Examiner: Not yet known

Group Art Unit: 2857

Attorney Docket No.: 718026.64

Customer No.: 027128

Confirmation No.: 2145

RESPONSE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, dated
August 9, 2004, Applicants enclose herewith:

1. Transmittal;
2. Fee Transmittal;
3. The original, signed Declaration signed by the inventors;
4. Power of Attorney;
5. Statement Under 37 CFR 3.73(b) with Copy of Assignment;
6. Part 2 Copy - Notice to File Missing Parts of Nonprovisional Application;

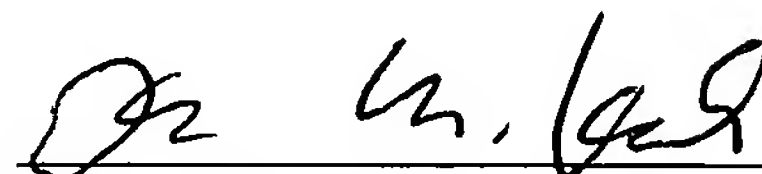
Applicant: Peter Arthur Tobler, et al.
Application No: 10/708,146
Response to Missing Parts

7. Return Receipt Postcard.

Respectfully submitted,

Date:

October 12, 2004



Kevin M. Kercher

Reg. No. 33,408

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ATTORNEYS FOR APPLICANT